GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2
ANSWERED ON:16.11.2016
Indian Prisoners Abroad
Bohara Shri Ramcharan;Chandrakasi Shri M.

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the details of Indian prisoners languishing in foreign jails and the offence committed by them;

(b) whether several Indian citizens are still in foreign prisons even after the completion of their sentence and if so, the details thereof, country-wise;

(c) whether inhuman treatment is meted out to Indian prisoners in jails abroad;

(d) if so, the details thereof and the incidents that came to light during the last three years including the measures taken by the Government in this regard;

(e) the details of help provided by the Government to Indian prisoners jailed abroad; and

(f) whether the Government has taken any step to bring them back to the country and if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a) & (b) Due to the strict provisions of privacy laws, the United States of America, Canada, Australia and many countries in Europe do not share information about Indian nationals in their prisons. However, as per information available, 6489 Indian nationals are lodged in foreign jails and 45 of them have completed their sentences and are awaiting release and repatriation. A list showing country-wise details is attached at Annexure.

(c) to (f) The Government is not aware of any inhuman treatment meted out to Indian prisoners in foreign prisons.

As soon as the information about detention/arrest of an Indian national is received by an Indian Mission/Post, it gets in touch with the local Foreign Office and other concerned local authorities to get consular access to the detained/arrested Indian national to confirm his Indian nationality and ensure his/her welfare. In some countries, where pro bono lawyers are available, the Mission arranges legal assistance to the Indian prisoners. Government of India also provides initial legal assistance to distressed Indian nationals in deserving cases.

Steps taken by our Missions include requesting local authorities for speedy trials, seeking remission of sentence, providing advice and guidance in legal and other matters, ensuring fair and humane treatment in foreign jails, issue of emergency certificates and repatriation to India of those who are released. In some countries, our Mission also requests the local government for grant of amnesty to the arrested Indians and if any mercy petition for remission of sentences is received from the family members of the Indian prisoners, the Mission forwards them to the local authorities for consideration. India has signed Treaties for Transfer of Sentenced Persons with 42 countries, under which Indian prisoners have been brought back to India from some of these countries.

In those cases where Indian nationals complete their sentences and are waiting for completion of deportation formalities, Indian Missions and Posts in those countries take up with the respective foreign governments the speeding up of the process, including issue of final Exit Visas, waiver of penalties imposed on Indian workers, etc. from the concerned authorities and for the early return of the Indian nationals to India. Where required, the Indian Missions and Posts abroad also provide airfares for facilitating the return of the Indian prisoners who have completed their sentences, to India.